



Attorney Docket: 00067.01R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joshua D. Rabinowitz, et al.) Examiner: M. Haghighatian
)
 Serial No.: 10/718,982) Group Art Unit: 1616
)
 Filing Date: November 20, 2003) Confirmation No.: 2735
)
 For: DRUG CONDENSATION AEROSOLS)
 AND KITS)

Mail Stop: Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being submitted under 37 CFR § 1.97(c). This Statement is filed after three months from the filing date of the national application, after three months from the date of entry into national stage under 37 CFR § 1.491, after the mailing of a first Office Action on the merits, or after the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114, but before the mailing date of any of:

- (a) a final action under 37 CFR § 1.113;
- (b) a notice of allowance under 37 CFR § 1.311; or
- (c) an action that otherwise closes prosecution in the application.

This Statement is accompanied by a check for \$180 in accordance with 37 CFR §§1.97(c) and 1.17(p). The undersigned hereby authorizes the charging of any deficiency of fees submitted herewith to Deposit Account No. 19-5117.

37 CFR 1.8

CERTIFICATE OF MAILING

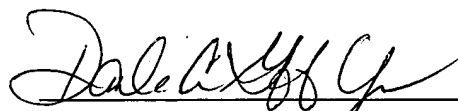
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/19/05

Signature: Tasha L. Pierce
 Name: Tasha L. Pierce

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

Respectfully submitted,

Date: October 19, 2005



Darla G. Yoerg, #48,053
Swanson & Bratschurr, L.L.C.
1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80129
Telephone: (303) 268-0066
Facsimile: (303) 268-0065

cc: W. Leschensky
S:\CLIENTFOLDERS\ALEXZA\67.01R\00067 01R IDS REVISED.DOC

FORM PTO-1449 U.S. DEPARTMENT OF
COMMERCE PATENT
AND TRADEMARK
OFFICE

ATTY. DOCKET NO.

00067.01R

SERIAL NO.

10/718,982

APPLICANT

Hale et al.

FILING DATE

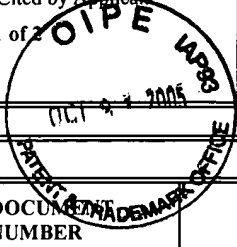
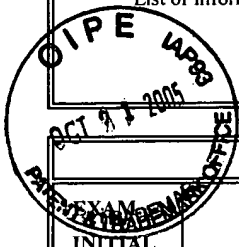
November 20, 2003

GROUP

1616

List of Information Cited by Applicant

Page 1 of 2



U.S. PATENT DOCUMENTS

INITIAL	DOCUMENT NUMBER	DATE	NAME	CLS	SUB-CLS	FILE DATE
AA	10/057,198	10/26/2001	Lloyd et al.			
AB	10/146,088	05/13/2002	Hale et al.			
AC	10/280,315	10/25/2002	Shen			
AD	10/302,614	11/21/2002	Lu			
AE	10/322,227	12/17/2002	Novack et al.			
AF	10/442,385	05/20/2003	Cross et al.			
AG	10/719,540	11/20/2003	Hale et al.			
AH	10/850,895	05/20/2004	Damani et al.			
AI	10/851,018	05/20/2004	Hale et al.			
AJ	10/851,429	05/20/2004	Hale et al.			
AK	10/851,432	05/20/2004	Hale et al.			
AL	10/851,883	05/20/2004	Hale et al.			
AM	10/861,554	06/03/2004	Cross et al.			
AN	10/912,417	08/04/2004	Bennett et al.			
AO	10/917,720	08/12/2004	Hale et al.			
AP	10/917,735	08/12/2004	Hale et al.			

FOREIGN PATENT DOCUMENTS

EXAM. INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB CLS	TRANS ?
AQ	WO 00/28979	05/25/2000	WIPO			
AR	WO 01/80829	11/01/2001	WIPO			
AS	WO 03/37412	05/08/2003	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AT	Office Action mailed 02/27/04 for US App. No. 10/146,080 filed 05/13/02, "Aerosol Forming Device For Use In Inhalation Therapy"
AU	Office Action mailed 06/03/04 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
AV	Office Action mailed 01/12/05 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
AW	Hong et al. (2002) Respiratory Drug Delivery VIII:779-781.
AX	
AY	
AZ	
AAA	
ABB	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE List of Information Cited by Applicant Page 2 of 2	ATTY. DOCKET NO. 00067.01R	SERIAL NO. 10/718,982
	APPLICANT Hale et al.	
	FILING DATE November 20, 2003	GROUP 1616

U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB-CLS	FILE DATE
	BA	3,949,743	04/13/1976	Shanbrom			
	BB	4,484,576	11/27/1984	Albarda			
	BC	4,911,157	03/27/1990	Miller			
	BD	4,924,883	05/15/1990	Perfetti et al.			
	BE	5,135,009	08/04/1992	Muller et al.			
	BF	5,144,962	09/08/1992	Counts et al.			
	BG	5,146,915	09/15/1992	Montgomery			
	BH	5,160,664	11/03/1992	Liu			
	BI	5,564,442	10/15/1996	MacDonald et al.			
	BJ	5,874,481	02/23/1999	Weers et al.			
	BK	6,090,212	07/18/2000	Mahawili			
	BL	6,155,268	12/05/2000	Takeuchi			
	BM	6,158,431	12/12/2000	Poole			
	BN	6,701,922	03/09/2004	Hindle et al.			
	BO	6,772,756	08/10/2004	Shayan			
	BP	2002/0117175	08/29/2002	Kottayil et al.			
	BQ	2004/0016427	01/29/2004	Byron et al.			
	BR						
	BS						

FOREIGN PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB-CLS	TRANS ?
	ACC						
	ADD						
	AEE						
	AFF						
	AGG						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	AHH
	AII
	AJJ
	AKK
	ALL
EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and <u>not</u> considered. Include copy of this form with next communication to applicant.	